

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DARLENE HOLMES,

Plaintiff,

2:04-cv-1975-GEB-PAN (JFM)

vs.

JO ANNE B. BARNHART,
Commissioner of Social
Security,

ORDER

Defendant.

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This matter is before the court on plaintiff's motion for judgment and defendant's cross-motion for judgment. These motions were referred to the assigned Magistrate Judge pursuant to 28 U.S.C. §§ 636, et seq., and Local Rule 72-302. On May 4, 2006, Judge Moulds filed findings and recommendation which were served on all parties and objections were to be filed within ten days after service. Neither party has filed objections to the findings and recommendation.

1 The court has reviewed the file and finds the findings
2 and recommendation to be supported by the record and by the
3 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
4 that:

5 1. The Findings and Recommendation filed May 4, 2006, are
6 adopted in full;

7 2. Plaintiff's motion for summary judgment or remand is
8 denied; and

9 3. Defendant's cross-motion for summary judgment is granted.

10 Dated: June 2, 2006

11 /s/ Garland E. Burrell, Jr.
12 GARLAND E. BURRELL, JR.
13 United States District Judge
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